

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No. CV 08-3703 GAF (VBKx) Date July 2, 2008

Title Crews, et al. v. Domino's Pizza Corp., et al.

Present: The Honorable **GARY ALLEN FEESS**

Michele Murray

None

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None

None

**Proceedings: (In Chambers)**

**ORDER TO SHOW CAUSE**

On April 21, 2008, Plaintiffs, current and former general managers of Domino's Pizza, filed the instant action in Los Angeles County Superior Court bringing various wage and hour claims for Defendants' alleged failure to pay overtime and provide meal and rest breaks. On June 6, 2008, Defendants timely removed the action to this Court on alleged diversity grounds. The Court is not convinced, however, that the case was properly removed.

The notice of removal asserts that Plaintiffs are all citizens of California. (Not. ¶ 5.) There are four named Defendants in this action.<sup>1</sup> Defendants assert that Domino's Pizza LLC's principal place of business is Michigan and that it was incorporated under the laws of Michigan. (Not. ¶ 6.) Defendants assert that Domino's Inc., the sole member of Domino's Pizza LLC, was incorporated in Delaware but they do not *expressly* state the location of Domino's Inc.'s principal place of business. (See Not. ¶ 6; *see also* Martinez Decl. ¶ 2.) Accordingly, as the Court is unable to determine whether complete diversity exists, Defendants are **ORDERED TO SHOW CAUSE** by the close of business on **Friday, August 1, 2008** why this case should not be remanded for lack of subject matter jurisdiction. An amended notice of removal addressing the deficiencies

<sup>1</sup> The citizenship of two of these Defendants is not relevant here as Defendants assert that: (1) Domino's Pizza California LLC no longer exists after a 2002 merger (Not. ¶ 7; Martinez Decl. ¶ 3, Ex. A [Certificate of Merger]); and (2) Domino's Pizza Corp. does not exist and has never existed (Not. ¶ 8; Martinez Decl. ¶ 4).

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described above will satisfy this Order.

IT IS SO ORDERED.